

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DARRION GARDNER,)	
)	
Movant,)	
v.)	Case No. 4:23-cv-00985-SEP
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

Before the Court is Movant Darrion Gardner’s Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, Doc. [6]. The motion was filed on November 14, 2023, but its signature page is blank.

Under Federal Rule of Civil Procedure 11, every written pleading or motion must be signed “by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a). The Court “must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” *Id.* And Rule 2(b)(5) of the Rules Governing Section 2255 Proceedings for the United States District Courts requires that a motion “be signed under penalty of perjury by the movant or by a person authorized to sign it for the movant.”

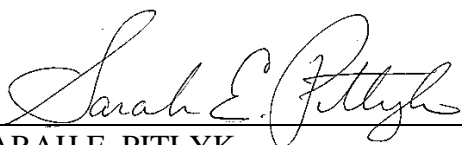
The Clerk of Court is ordered to mail to Movant a copy of the motion so that he may sign it and return it to the Court for filing. Movant should sign and date the motion on the line indicating “Signature of Movant,” located on page twelve. If Movant fails to comply with this Order within the allotted time, the Court will dismiss this action without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall mail to Movant a copy of the 28 U.S.C. § 2255 motion, Doc. [6].

IT IS FURTHER ORDERED that Movant shall sign and date the motion and return it to the Court within **twenty-one (21) days** of the date of this Order or the Court will dismiss this action without prejudice and without further notice.

Dated this 5th day of December, 2023.



SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE